



PATENT
ATTORNEY DOCKET NO. 07367/002001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul T. Kolen et al.
Serial No.: 08/450,641
Filed : May 25, 1995
Title : COLD THERAPY APPARATUS

Art Unit:
Examiner:

RECEIVED

SEP 17 1995

GROUP 300

Commissioner of Patents and Trademarks
Washington, DC 20231

Attention: Application Branch

RESPONSE TO NOTICE OF FILING DATE GRANTED INCOMPLETE RESPONSE

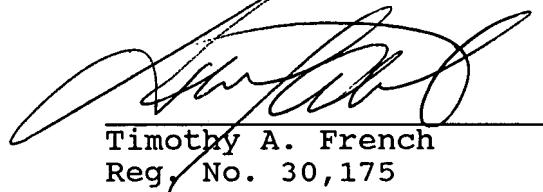
We are responding to the Notice of Filing Date Granted Incomplete Response, mailed August 10, 1995 (a copy of which is attached), indicating that the surcharge and declaration by the inventors have not been provided.

Enclosed is a copy of our transmittal letter and complete response to Notice to File Missing Parts of Application under 37 CFR 1.53(d), mailed July 17, 1995 (a copy of which is attached to the response). The response, including the signed declaration by the inventors and check for \$65, was delivered by hand to the Mailroom of the U.S. Patent and Trademark Office on July 28, 1995, all as evidenced by the enclosed receipt bearing the Mailroom stamp of that date. We are also advised by our bank that the accompanying check for \$65 was processed through our bank account on August 17th.

Date of Deposit Sept 7, 1995
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

We understand that this perfects the application, and that no additional papers or filing fees are required. However, submitted herewith is a provisional petition for automatic extension. Please make any charges, or apply any credits, to Deposit Account No. 06-1050.

Respectfully submitted,



Timothy A. French
Reg. No. 30,175

Date: Sept 7, 1995
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

Telephone: 617/542-5070
Facsimile: 617/542-8906
142909.B11



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/TITLE
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08/450,641 05/25/95 KOLEN

P EXAMINER

07367/00200

FISH AND RICHARDSON
601 THIRTEENTH STREET NW
WASHINGTON DC 20005

022270810

ART UNIT

PAPER NUMBER

DATE MAILED:

0000

08/10/95

NOTICE OF FILING DATE GRANTED INCOMPLETE RESPONSE

Applicant's response of July 20, 1995 has been entered into the record. However, the application still remains incomplete for the following reason(s).

- 1.) The filing fee has not been received by the Office. The amount of _____ is due.
- 2.) The surcharge of \$65.00 has not been received by the Office.
- 3.) The declaration was not received by the Office.
- 4.) The inventor's signature is missing on the Declaration.
- 5.) The declaration must be signed by the inventor or a qualified person designated in the application.
- 6.) Inventor number _____ signature is missing on the declaration.
- 7.) Signature of legal representative to process the application of a deceased inventor.

The response period remains as set forth in the office letter mailed on July 17, 1995. However, you can obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 by filing a petition accompanied by the appropriate fee (37 CFR 1.17).

Please submit your response to the Special Processing Branch.

A copy of this notice MUST be returned with your response.

SPECIAL PROCESSING AND CORRESPONDENCE BRANCH
ONAR, APPLICATION PROCESSING DIVISION
(703) 308-1202



PATENT
ATTORNEY DOCKET NO. 07367/002001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul T. KOLEN et al.
Serial No.: 08/450,641
Filed : May 25, 1995
Title : COLD THERAPY APPARATUS

Art Unit: Unassigned
Examiner: Unassigned

Attention: Applications Branch
Commissioner of Patents and Trademarks
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

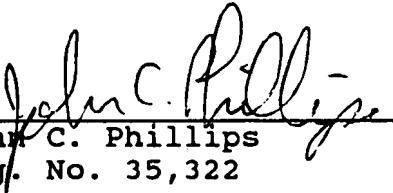
Responsive to the Notice to File Missing Parts of Application under 37 CFR 1.53(d) mailed July 17, 1995 (a copy of which is enclosed), Applicants as a small entity submit herewith the following:

1. A Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63; and
2. Payment of the surcharge of \$65.00 for late filing of the declaration.

It is noted that a Verified Statement Claiming Small Entity Status was filed in this application on July 20, 1995. Accordingly, Applicants submit that the \$365.00 fee submitted with the application was sufficient and that no further fee is required.

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,


John C. Phillips
Reg. No. 35,322

Date: July 28, 1995

Fish & Richardson P.C.
601 13th Street NW
Washington, D.C. 20005

Telephone: 202/783-5070
Facsimile: 202/783-2331
48462.W11



PLEASE STAMP AND RETURN TO ACKNOWLEDGE RECEIPT OF:

In re Application of: Paul T. KOLEN et al.

Serial No.: 08/450,641

Filed: May 25, 1995

For: COLD THERAPY APPARATUS

XX Transmittal Letter

 Response/Amendment Under _____ Pages _____

 Information Disclosure Statement, w/PTO-1449 in duplicate _____ Pages _____
Number of Cited References _____

 Issue Fee Transmittal

 Submission of Formal/Amended Drawings (_____ Sheets; Figs. _____ - _____)

XX Check \$ 65.00 Check No. _____ Charge Deposit Acct No. _____

Other RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION with executed
Combined Declaration and Power of Attorney

Atty/Secy JCP/djc Docket No. 07367/002001 Date 07/28/95



FISH & RICHARDSON P.C.

225 FRANKLIN STREET
BOSTON, MA 02110

5-39/110

C 48136

PAY Sixty Five and no/100 DOLLARS

TO THE ORDER OF	DATE	AMOUNT
COMMISSIONER OF PATENTS AND TRADEMARKS	07/28/95	\$65.00

FISH & RICHARDSON P.C.

BY

Wm. C. Allen

BANK OF BOSTON
THE FIRST NATIONAL BANK OF BOSTON
07367/002001 djc



RECEIVED

AUG 21 1995

RECEIVED

JUL 31 1995

FISH and RICHARDSON, P.C.
WASHINGTON, D.C.

✓

PLEASE STAMP AND RETURN TO ACKNOWLEDGE RECEIPT OF:

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Combined Declaration and Power of Attorney



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225 FRANKLIN STREET
BOSTON, MA 02110

5-39/110

C 48136

PAY Sixty Five and no/100----- DOLLARS

TO THE ORDER OF	DATE	AMOUNT
COMMISSIONER OF PATENTS AND TRADEMARKS	07/28/95	\$65.00

FISH & RICHARDSON P.C.
By [Signature]

BANK OF BOSTON
THE FIRST NATIONAL BANK OF BOSTON
07367/002001 djc
[Redacted]

Monica -
has this check
cleared? PTO
claims never to
have received

Cleared on
8/17